

SEP 07 2004

PAGE 4/16 * RCVD AT 9/7/2004 1:34:28 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-F-1/0 * DNS:8729306 * CSID:512 473 8803 * DURATION (mm-ss):09-56

PATENT
09/801,617

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Group Art Unit: 2178
: Examiner J. D. Campbell
Sanaa F. Abdelhadi et al. : Intellectual Property
Serial No: 09/801,617 : Law Department - 4054
Filed: March 8, 2001 : International Business
Title: REVIEWING PORTIONS : Machines Corporation
OF THE HYPERTEXT WORLD WIDE : 11400 Burnet Road
WEB DOCUMENTS LINKED TO : Austin, Texas 78758
HYPERLINKS IN RECEIVED WORLD :
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence including the present Response, two Declarations, and accompanying Transmittal letter is being transmitted via facsimile to USPTO, Group Art Unit 2178 at telephone number 703-872-9306, and to the attention of Examiner J. D. Campbell on

09/07/04

J. B. KRAFT

J. B. Kraft
Signature

09/07/04
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Official Action mailed June 7, 2004.

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Summary of Telephone Interview with Examiner on 08/17/04.

Applicants thank Examiner for the telephone interview extended to their attorney, J. B. Kraft on August 17, 2004. As Applicants explained in that interview, they believe that they have a clear cut 37 CFR 1.131 argument as will be set forth below for a complete conception of the present invention before the filing date of the Weiss Patent Publication, and diligence for the brief 16 day period until the filing of the present Application on March 8, 2001.

Applicants Argument

The rejection of claims 1-13, 15, and 17-20 under 35 USC 102(e) over Weiss et al., Pub. No. 2003/0014415, filed 02/22/01 is respectfully traversed.

The attached Declaration of the Inventors indicates that the Disclosure (Exhibit A) of the invention was submitted to the IBM IPLaw Department before the February 22, 2001 filing date of the Weiss Publication.

Even more significantly, the attached Declaration of Attorney, J. B. Kraft who prepared the present application establishes that before the February 22, 2001 filing date of Weiss, a draft of this Application in final form was being processed by IBM's IPLaw Department. Such a draft in final form serves as a written conception of the invention.

Thus, the only remaining question is whether the sixteen day period between the day before the February 22, 2001 Weiss date and the present Application filing date on March 8, 2001 is a period of due diligence for the formalization of the Patent Application, the preparation of supporting documents, and the execution and submission to the U.S. Patent Office. It is respectfully requested that

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the Examiner find that a 16 day period is a reasonable period for such processes.

Accordingly, the rejection of claims 14 and 16 under 35 USC 103(c) as being unpatentable over Weiss in view of Tracey (US6,199,753) is also respectfully traversed. Since Weiss is no longer a viable reference, this combination of references can not support a rejection.

In view of the foregoing, it is submitted that claims 1-20 are in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,

J.B. Kraft 09/07/04
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